

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

MUSA J. HARRIS,

Defendants.

**4:15CR3041**

**ORDER**

Defendant moves the court for an order permitting him to continue living with his employer, rather than in a halfway house as previously ordered by the court, (Filing No. 85-5), because Defendant believes his current living situation “will be a healthier environment for him than the halfway house.” The government opposes the motion.

Defendant was initially released to a Residential Reentry Center in California, but he was removed from that facility due to alleged misconduct. After appearing before the California federal court on a Petition for violating the terms of pretrial release, Defendant was allowed to live with his employer (with daily calls to his pretrial services officer) as a temporary means for allowing Defendant to remain on release while awaiting readmission to a halfway house.

Defendant wants this temporary solution to become long-term. Having again reviewed Defendant’s pretrial services report, the court is not convinced his current and less-structured living arrangement is healthier for him. More importantly, the court’s decision on Defendant’s Motion to Modify is governed by the Bail Reform Act, and applying the factors relevant under that Act, the court finds a halfway house, where Defendant is monitored and held accountable, is the appropriate location for ameliorating the risk of harm to the public and risk of flight occasioned by Defendant’s release. Accordingly,

IT IS ORDERED that Defendant’s motion to modify, (Filing No. 88), is denied.

Dated this 8th day of December, 2016

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge